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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION Of:

Mario Bourdon, et al.

U.S. Serial No.: 09/701,162

International Application No.: PCT/US98/257/91

Filed: November 22, 2000

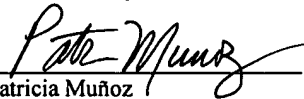
For: INHIBITION OF TUMOR GROWTH BY
MACROPHAGE INTERVENTION

) Group Art Unit: Not yet assigned

) Examiner: Not yet assigned

) Certificate of Express Mailing

) I, Patricia Muñoz, hereby certify that this paper or fee is being
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) Washington D.C. 20231, Attention: Office of PCT Legal
) Administration on April 3, 2002

) By: 
) Patricia Muñoz

Assistant Commissioner for Patents
Box PCT
Washington, D.C. 20231

Attention: Office of PCT Legal Administration

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TRANSMITTAL LETTER

Transmitted herewith for filing are the following:


1. Renewed Petition Under 37 C.F.R. §1.47(a);
2. Copy of letter to Per Borgstrom dated March 7, 2002, combined Declaration and Power of Attorney along with first page of Publication No. WO 99/293345, as Exhibit A.
3. Copy of the certified mail return receipt signed by Per Borgstrom dated March 8, 2002, as Exhibit B; and
4. Return postcard.

Applicant believes that no fee is required. However, if any fees are required, please charge the requisite fee, as set forth in 37 C.F.R. § 1.17(h), for the filing of this transmittal letter with accompanying documents to deposit account no. 03-3975, order no. 051503/0278735. A duplicate of this transmittal letter is enclosed for accounting purposes.

Respectfully submitted,

PILLSBURY WINTHROP LLP

Date: 4-3-02


Robert M. Bedgood
Reg. No. 43,488

Please send all correspondence to:

50 Fremont Street
P.O. Box 7880
San Francisco, CA 94105
Telephone: (415) 983-1000
Facsimile: (415) 983-1200
Direct Line: (858) 509-4065

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) Administration on April 3, 2002

) By: 
)

) Patricia Muñoz
)

Assistant Commissioner for Patents
Box PCT
Washington, D.C. 20231

Attention: Office of PCT Legal Administration

RENEWED PETITION UNDER 37 C.F.R. §1.47(a)

Responsive to the Decision of Petition Under 37 C.F.R. § 1.47(a) dated February 5, 2002, Applicant's submit a Renewed Petition for acceptance of the above-identified application under 37 C.F.R. § 1.47(a), in which one co-inventor refuses to join in the application. Reconsideration of the Renewed Petition on the merits is respectfully requested.

The undersigned declares and states the following facts relating to efforts directed to securing execution of a Declaration from co-inventor **Per Borgstrom** for the above-identified application.

On March 7, 2002, a certified letter was sent to Per Borgstrom at his last known home address:

Per Borgstrom

2325 Camino Del Collado

La Jolla, California 92037

The letter, included an inventor's combined Declaration and Power of Attorney for signing by Per Borgstrom and a copy of the as-filed patent application (Publication No. WO 99/29345). Also included with the letter was a return Federal Express envelope so that Per Borgstrom could return the executed declaration to the undersigned. Copies of this letter and declaration are attached herewith along with the first page of Publication No. WO 99/293345 as Exhibit A. The return receipt for this certified letter as signed by Per Borgstrom has been received and is dated March 8, 2002. A copy of the certified mail return receipt is attached as Exhibit B.

To date, there has been no response from Per Borgstrom to the certified letter nor has the executed combined Declaration and Power of Attorney been received. Exhibits A through B evidence a bonafide attempt to present a copy of the Declaration to Per Borgstrom for his signature.

The undersigned declares that all statements made herein on personal knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like are made punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code on that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.


Accordingly, for the above reasons, Applicant believes that the renewed petition under 37 C.F.R. § 1.47(a) should be granted.

Further Applicant believes that no fee is required. However, if any fees are required, please charge the requisite fee, as set forth in 37 C.F.R. § 1.17(h), for the filing of this renewed petition to deposit account no. 03-3975.

Respectfully submitted,

PILLSBURY WINTHROP LLP

Date: 4-3-02


Robert M. Bedgood
Reg. No. 43,488

Please send all correspondence to:
50 Fremont Street
P.O. Box 7880
San Francisco, CA 94105
Telephone: (415) 983-1000
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Direct Line: (858) 509-4065



PILLSBURY WINTHROP LLP

11682 EL CAMINO REAL SUITE 200 SAN DIEGO, CA 92130 619.234.5000 F: 858.509.4010

March 7, 2002

Robert M. Bedgood, Ph.D.
858.509.4065
rbedgood@pillsburywinthrop.com

VIA CERTIFIED MAIL

Per Borgstrom
2325 Camino Del Collado
La Jolla, CA 92037

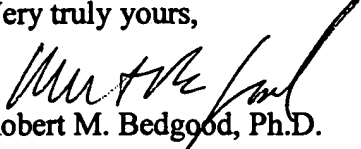
Re: U.S. Application Serial No. 09/701,162 for
"INHIBITION OF TUMOR GROWTH BY MACROPHAGE
INTERVENTION"
Based on International Application No. PCT/US98/25791
Inventors: Mario A. Bourdon, et al.
Filed: November 22, 2000
Our Ref. No.: 051503/0278753

Dear Dr. Borgstrom:

Enclosed please find a copy of the as-filed patent application (Publication No. WO 99/29345) and a combined Declaration and Power of Attorney. Please sign the Declaration where indicated and return to us as soon as possible. For your convenience, enclosed is a self-addressed Federal Express label and envelope for return of the signed Declaration to our office.

We look forward to receiving the executed declaration. In the meantime, if you have any questions, please do not hesitate to contact me.

Very truly yours,


Robert M. Bedgood, Ph.D.
Patent Agent
RMB:pm

Enclosures

- (1) Copy of as-filed patent application (Publication No. WO 99/29345)
- (2) Combined Declaration and Power of Attorney

cc: John R. Wetherell, Jr., Ph.D.

PCT

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International Bureau



INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

(51) International Patent Classification ⁶ : A61K 39/395, 48/00, C07K 16/18, 16/22, 16/24, 16/26, 16/28		A1	(11) International Publication Number: WO 99/29345 (43) International Publication Date: 17 June 1999 (17.06.99)
(21) International Application Number: PCT/US98/25791 (22) International Filing Date: 4 December 1998 (04.12.98) (30) Priority Data: 60/067,591 5 December 1997 (05.12.97) US (63) Related by Continuation (CON) or Continuation-in-Part (CIP) to Earlier Application US 60/067,591 (CIP) Filed on 5 December 1997 (05.12.97) (71) Applicant (for all designated States except US): LA JOLLA INSTITUTE FOR EXPERIMENTAL MEDICINE [US/US]; 505 Coast Boulevard, South, La Jolla, CA 92037 (US). (72) Inventors; and (75) Inventors/Applicants (for US only): BOURDON, Mario, A. [US/US]; 1076 Concord Street, San Diego, CA 92106 (US). DERYUGINA, Elena [RU/US]; 8320 Regents Road #1-J, San Diego, CA 92122 (US). RAO, Pothapragada, Srirama [IN/US]; 11959 Alpine Terrace, San Diego, CA 92128 (US). BORGSTROM, Per [SE/US]; 2325 Camino Del Collado, La Jolla, CA 92037 (US).			(74) Agent: REITER, Stephen, E.; Gray Cary Ware & Freidenrich LLP, Suite 1600, 4365 Executive Drive, San Diego, CA 92121 (US). (81) Designated States: AL, AM, AT, AU, AZ, BA, BB, BG, BR, BY, CA, CH, CN, CU, CZ, DE, DK, EE, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MD, MG, MK, MN, MW, MX, NO, NZ, PL, PT, RO, RU, SD, SE, SG, SI, SK, SL, TJ, TM, TR, TT, UA, UG, US, UZ, VN, YU, ZW, ARIPO patent (GH, GM, KE, LS, MW, SD, SZ, UG, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, CH, CY, DE, DK, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, GW, ML, MR, NE, SN, TD, TG). Published With international search report. Before the expiration of the time limit for amending the claims and to be republished in the event of the receipt of amendments.
(54) Title: INHIBITION OF TUMOR GROWTH BY MACROPHAGE INTERVENTION			
(57) Abstract Methods of inhibiting tumor growth in a mammalian host are provided. In the subject methods, the angiogenic activity of macrophages in at least the region of the tumor is inhibited, conveniently by providing an environment free of activated macrophages in at least the region of the tumor. The environment free of activated macrophages may be provided by depleting at least the region of the tumor of macrophages and/or inhibiting macrophage activation. The subject methods find use in cancer therapy and may be used in combination with one or more additional cancer treatment modalities, including surgery, radiation therapy and chemotherapy.			

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1. Article Addressed to:

Per Borgstrom
2325 Camino Del Collado
La Jolla, CA 92037

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) **Borgstrom** B. Date of Delivery **3-8-92**

C. Signature *Per Borgstrom*

D. Is delivery address different from item 1? ☐ Yes ☐ No
If YES, enter delivery address below:

Encls: Copy of as-filed patent
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Sent To **Per Borgstrom**
Street, Apt. No., or PO Box No. **2325 Camino Del Collado**
City, State, ZIP+4 **La Jolla, CA 92037**
PS Form 3800, January 2001 See Reverse for Instructions

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